

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
November 19, 2018

The Lyndon City Council met in regular session on Monday, November 19, 2018, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Morrison called the meeting to order.

- a) ROLL CALL: City Clerk called roll of the City Council. Mayor Morrison and members Bill Patterson, Katie Shepard (7:11), Kevin Heit and Doug Harty present. Darin Schmitt absent with notification.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; Darrel Manning, Chief of Police; and Scott Culley; Public Works.

Others Present: Wes Weishaar, BG Consultants; Brandon Spencer, Ottawa Sanitation and Gene Hirt.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING:

- a) Patterson made the motion to approve the regular meeting minutes of November 5, 2018 as presented. Shepard seconded, motion carried.

3. CONSENT AGENDA:

- a) Approval of Bills: Shepard made the motion to approve the bills as set forth. Heit seconded, motion carried.

4. MAYORAL APPOINTMENT: The Mayor stated the City received a letter of interest from Doug Harty to serve on the city council and would like to proceed with his appointment. Patterson made the motion to approve the Mayor's appointment. Shepard seconded, motion carried. Oath of office was taken by Doug Harty as a new council member.

5. PUBLIC COMMENTS: Gene Hirt spoke with the Council in regards the repair of the manhole on 9th Street and the proposed street concrete patches. He stated that the Amish have been coming into town and voiced his concern about the options for parking their horse and buggy.

6. CORRESPONDENCE TO COUNCIL: None.

7. UNFINISHED BUSINESS:

- a) SEWER PROJECT UPDATE - BG CONSULTANTS: Wes Weishaar with BG provided Council with the following update:

Wastewater Treatment Improvements: 80% complete.

- Lagoons:
 - Fence to be installed when it is dry enough for equipment.
 - Some final cleanup to follow with better weather in Spring.

- Headworks building construction:
 - Masonry in-place; Roof construction underway to enclose building.
 - Equipment installed.
- Project completion anticipated by end of February.
- Pay App #7 submitted October 31st. \$483,590.38

Sanitary Sewer Collection System Mainline Improvements: 85% complete.

- Replacement of PS 99-99A complete.
- Manhole rehabilitation in progress.
- Final clean up and close-out procedures to follow. Final photo documentation to follow Taps completion.
- Pay App #6 submitted October 31st. \$42,011.10

Sanitary Sewer Service Tap Improvements: 37% complete.

- Tap installation on recently lined mains proceeding. Anticipated completion by January.
- Open Trench Service Tap replacement proceeding. Anticipated completion by January.
- Project completion anticipated by mid-February.
- Pay App #6 submitted November 12th. \$96,614.43

Patterson asked if the project would be completed by the first of March maybe without having the fencing completed. Mr. Weishaar stated the contractor for that part of the project stated they were going to try and get the fencing company in as soon as possible to get that completed, however, it is based on that subcontractor's schedule.

Mayor Morrison asked when the plan to switch from the current sewer system to the new lagoon system and Mr. Weishaar stated they do not have a set date, however, with the way the project is progressing, estimates the end of the December or first part of January.

Mayor Morrison asked Mr. Weishaar if he had been to the manhole at 9th and Cedar that was repaired and Mr. Weishaar stated he had not. Mr. Weishaar stated the construction observer has documented the repair and connections that were made and he will be reviewing that. Mr. Weishaar also state that Wade Keitel with KDHE came down last week, spoke with Kevin Frogley the construction observer, and had no concerns about the installation.

- b) BRB CONTRACTOR'S PAY APP #7: Shepard made the motion to approve the pay application for BRB Contractors in the amount of \$483,590.38. Patterson seconded, motion carried.
- c) PIPE SERVICES CONTRACTOR'S PAY APPLICATION #6: Shepard made the motion to approve the pay application for Pipe Services in the amount of \$96,614.43. Heit seconded, motion carried.
- d) REED DOZING CONTRACTOR'S PAY APPLICATION #6: Shepard made the motion to approve the pay application for Reed Dozing in the amount of \$42,011.10. Harty seconded, motion carried.
- e) TRASH SERVICE CONTRACT: The City Attorney stated if the Council has decided which company, they plan to proceed with in regards to trash service, he will proceed with preparing the contract. After brief discussion, Patterson made the motion to award the trash contract to Ottawa Sanitation per their specs provided in the proposal and also contingent upon a signed contract. Shepard seconded, motion carried.

8. NEW BUSINESS:

- a) CONCRETE QUOTE FOR STREETS - QUALITY BUILT CONSTRUCTION: Mayor Morrison asked the Maintenance Supervisor if the locations provided on the concrete quote were unrelated to the sewer project and was noted they are. The locations noted on the quote are areas that were removed by the city or a contractor. After a lengthy discussion, it was consensus of the Council to have the Maintenance Supervisor obtain another quote for the concrete work.
- b) SEWER ABATEMENT REQUEST: The City Clerk provided a letter from the McMillian's asking for a sewer abatement due to a leak at their rental at 614 Madison. The City Clerk stated that the Maintenance Supervisor was called out after she received notice from the renter of the leak. Shepard made the motion to grant the sewer abatement in the amount of \$67.72. Heit seconded, motion carried.

9. STAFF REPORTS:

- a) POLICE: Council received the Officer's Activity report.

The City Clerk stated she was given a bill for a case from the Chief which needs discussion. Chief Manning stated they were called for a suicidal female who was cutting herself, physically abusive to law enforcement, had to be placed in protective custody and transported by ambulance. The female did not have insurance and once she self-committed at the hospital it removed the City from being responsible for the hospital stay, however, does make the City responsible for the ambulance. The City Attorney stated the State statute that makes the City responsible if the person is indigent, however, are only liable to pay the Medicare rate for the service. The City Clerk was directed to call Osage County EMS and request a new bill with the Medicare rate and to be brought back before Council at the next meeting.

b) PLANNING AND ZONING: The City Clerk stated they held a meeting and are continuing to work on the zoning map and violation letter templates. The Council received a copy of the November permits as well as a list of all of the permits that have been submitted for the year.

c) PUBLIC WORKS: The Council received a copy of the Maintenance Activity report.

The Mayor asked about the sander hopper for the streets and the Maintenance Supervisor stated it is the salt and sand spreader. The Maintenance Supervisor stated there is a drag chain that needs to be replaced and the cost of replacement is \$907.00 delivered. He stated they had worked on it extensively on Friday and the change has several issues. After further discussion, Heit made the motion to approve the purchase of the chain for the salt/sand spreader in the amount of \$907.00. Patterson seconded, motion carried

d) CITY CLERK: The Council received a copy of the Clerk's report.

City Hall will be closed Thursday and Friday for Thanksgiving holiday.

Provided the Winterfest schedule on Saturday, December 3 and asked for council members to judge the parade.

Briefly talked about the Veteran Banner Project and the need for new Christmas lights were discussed.

10. COUNCIL/MAYOR COMMENTS AND REPORTS:

Patterson, Heit and Shepard welcomed Harty to City Council.

Harty thanked the Mayor and Council for the opportunity to serve.

Patterson requested a letter to Bill and Ellie Ragan, owners of EZ Rock Café could be written thanking them for the many years of service they provided to the community.

11. EXECUTIVE SESSION: At 8:19 p.m. Heit made the motion to recess to executive session for 10 minutes for Non-elected Personnel with the City Attorney and Maintenance Supervisor attending to discuss the open maintenance position. Shepard seconded, motion carried. Council reconvened at 8:29 p.m. with the decision of not hiring for the open maintenance position until February 2019 and to notify the applicants by letter.

At 8:30 p.m. Patterson made the motion to recess to executive session for 10 minutes for Attorney-Client Privilege with the City Attorney. Shepard seconded, motion carried. Council reconvened at 8:40 p.m. with no binding action taken.

At 8:42 p.m. Harty made the motion to recess to executive session for 10 minutes for Non-elected Personnel with the City Attorney attending. Shepard seconded, motion carried. Council reconvened at 8:52 p.m. with Patterson making the motion to give employee bonuses of \$700 for each full-time employee here for the full year, full-time employees with

less than a year would be prorated which gives the Treasurer \$410 and the Utility Clerk \$300, and to paid with November payroll. Shepard seconded, motion carried.

12. ADJOURNMENT: Patterson made the motion to adjourn to Monday, December 3, 2018, at 7:00 p.m. for regular meeting. Shepard seconded, motion carried.

A handwritten signature in cursive script, reading "Julie Stutzman".

City Clerk